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October 8, 2018

VIA REGULAR MAIL & EMAIL

RECEIVED
OCT 11 2018

Tom Mugleston
Risk Management
City of Springfield
225 Fifth Street
Springfield, OR 97477
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NOTICE OF TORT CLAIM

Re: Officer Ryan Stone

Dear Mr. Mugleston:

As you may know, I represent Officer Ryan Stone in connection with legal claims arising from his employment with the Springfield Police Department ("SPD"). This letter is Officer Stone's Notice of Tort Claim, as required by ORS 30.275. In that regard, please direct all communication about Officer Stone's claims to me at the above address.

As of the date of this letter, Officer Stone remains on administrative leave, which began on April 12, 2018. On September 18, 2018, I wrote to City Attorney Smith with concerns about what appeared to be an opportunistic effort to harm Officer Stone by exploiting two relatively minor citizen interactions involving Officer Stone. For your reference, I attach (and incorporate) that letter here. In my initial letter, I also requested a copy of Officer Stone's personnel file. Having now had a chance to review Officer Stone's personnel file, including specifically Lieutenant McKee's investigative reports, those initial concerns have heightened.

In that regard, on or about April 9, 2018, Sergeant Dave Lewis initiated the investigative process, which was conducted by Lieutenant McKee. Over the course of the investigation, SPD engaged in an overzealous and relentless effort to find fault with Officer Stone, which among other things included forcing him to submit to a mental-health fitness-for-duty examination, falsely accusing him of being untruthful, reaching unfair conclusions about his use of force without relying on a use-of-force expert, unfairly concluding that Officer Stone had "bruised, cracked or broken [the] ribs" of one of the citizens without the support of any credible medical or other evidence, subjecting him to multiple Brady determinations, threatening him with potential criminal prosecution, refusing to return him to work for months and most recently, submitting the

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two incidents to the Federal Bureau of Investigation for review. Simply, Officer Stone's conduct in no way justified the SPD's excessive investigative response – and SPD's misguided effort has harmed Officer Stone's reputation and caused him substantial emotional distress.

Unfortunately, Officer Stone's willingness to openly challenge the misconduct of his colleagues has generated retaliation against him, the most severe of which has been the overzealous investigation referenced above. Officer Stone is a highly ethical officer. He takes his responsibility to protect the public seriously, and expects his colleagues to conduct themselves in a similar manner.

For example, during a DUII-related training course, after signing into the training, some officers including Sergeant Lewis, left two hours early. Officer Stone reported that misconduct and ensured that the training roster accurately reflected those officers' limited attendance. For his effort, Officer Stone was labeled a "snitch." He also publically criticized a command staff's failure to self-report the leaving of his handgun in an unsecured location, when that same staff member had disciplined others for similar misconduct. He also criticized Sergeant Lewis' tactics during a SWAT response as unsafe, and Sergeant Lewis publicly dismissed Officer Stone's comments. More recently, Officer Stone reported concerns about a command staff's unethical involvement in a DUII case, which included that officer's improper attempt to influence the investigation such that the suspect would not be charged.

Under those circumstances, it is clear that SPD's true motivation is to oust Officer Stone in retaliation for his whistle-blowing conduct. SPD's actions against Officer Stone give rise to tort and statutory claims arising under Oregon and federal law. As a result, Officer Stone intends to pursue a lawsuit for vindication of his rights. Officer Stone expressly reserves the right to assert additional legal claims arising from his employment.

Very truly yours,



Christopher Lundberg
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CGL:lsl
Enclosure
Cc: Mary Bridget Smith
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